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October 22, 2020

**Via ECF**

The Honorable Jesse M. Furman, U.S.D.J.  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Re: *Chelsea Columbo v. GREEN WAX CENTER, INC. d/b/a UNI K  
WAX STUDIO, JONATHAN MAGRI and CLIFFORD MAGRI*  
Docket No.: 19-cv-11015-JMF

Dear Judge Furman:

We are counsel to Plaintiff. We write to inform the Court that Defendants' motion pursuant to Federal Rules of Civil Procedure 12(b)(6) (ECF Dkt. Nos. 60) will be unopposed by Plaintiff with respect to the Defendants' request for dismissal of Plaintiff's Federal Labor Standards Act claims, and the request to remand the remaining New York Labor Law claims back to State Court. Given the lack of fee shifting statute, the continuing nature of Plaintiff's claims, Plaintiff's non-opposition to Defendant's motion to dismiss and remand, and the lack of any allegation of unreasonable or vexatious conduct on behalf of Plaintiff, Plaintiff objects and opposes Defendants' request of attorneys' fees for the filing of its motion.

Defendants' motion was filed on October 8, 2020. Plaintiff's opposition is due by October 22, 2020, and Defendants' Reply was due by October 29, 2020. As stated above, Plaintiff does not intend to interpose an opposition.

Respectfully submitted,

/s/ C.K. Lee  
C.K. Lee, Esq.

cc: all parties via ECF